

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
C.L. and G.G., on behalf of their minor child, C.L.G.,

Plaintiffs,

Case No. 1:21-cv-07094
(RA)(BCM)

v.

NEW YORK CITY DEPARTMENT OF EDUCATION,

Defendant.

-----X

**~~PROPOSED~~ JUDGMENT AWARDING PLAINTIFFS' ATTORNEYS' FEES AND
COSTS CONSISTENT WITH MEMORANDUM OPINION & ORDER**

The Court GRANTS Plaintiffs' motion for attorneys' fees and costs, as well as post-judgment interest, WITH MODIFICATIONS as set forth in the Court's Memorandum Opinion and Order dated September 29, 2022; Memorandum Opinion and Order on Plaintiffs' Motion for Reconsideration and Defendant's Cross-Motion for Reconsideration dated November 22, 2022; and Order dated December 19, 2022:

For the administrative component:

1. Plaintiffs are entitled to an hourly rate of \$350.00 for Steven Alizio and Justin Shane. These individuals billed a combined total of 43.4 hours in the administrative proceeding. A 20% reduction to these individuals' hours brings their total hours to 34.72. Therefore, Plaintiffs are entitled to a combined total of \$12,152 in attorneys' fees for Steven Alizio and Justin Shane.
2. Plaintiffs are entitled to an hourly rate of \$175.00 for billable travel time for Steven Alizio. This individual billed a total of 1.6 travel hours in the administrative proceeding. A 20% reduction to this individual's hours bring his total travel hours

to 1.28. Therefore, Plaintiffs are entitled to a total of \$224 in attorneys' fees for the travel time for Steven Alizio.

3. Plaintiffs are entitled to an hourly rate of \$275.00 for Jennifer Gemmel. This individual billed a combined total of 11.5 hours in the administrative proceeding. A 20% reduction to this individual's hours brings her total hours to 9.2. Therefore, Plaintiffs are entitled to a total of \$2,530 in attorneys' fees for Jennifer Gemmel.
4. Plaintiffs are entitled to an hourly rate of \$100.00 for Nazc-a-ru Gonzalez. This individual billed a total of 1.7 hours in the administrative proceeding. A 20% reduction to this individual's hours brings his total hours to 1.36. Therefore, Plaintiffs are entitled to a total of \$136 in legal fees for Nazc-a-ru Gonzalez.
5. Plaintiffs are entitled to a total of \$15,042.00 in legal fees for the administrative proceeding.

For the federal action:

6. Plaintiffs are entitled to an hourly rate of \$350.00 for Steven Alizio and Justin Shane. These individuals billed a combined total of 74.7 hours in the federal action exclusive of hours billed from September 29, 2022 to October 4, 2022. A 50% reduction to these individuals' hours exclusive of hours billed from September 29, 2022 to October 4, 2022 brings their total hours to 37.35. Steven Alizio and Justin Shane billed a combined total of 9.3 hours between September 29, 2022 and October 4, 2022. A 90% reduction to these individuals' hours billed between September 29, 2022 and October 4, 2022 brings their total hours during this time period to 0.93. Thus, Plaintiffs are entitled to compensation for a combined total of 38.28 hours of work performed by Steven Alizio and Justin Shane in the federal

action. Therefore, Plaintiffs are entitled to a combined total of \$13,398.00 in attorneys' fees for Steven Alizio and Justin Shane for the federal action.

7. Plaintiffs are entitled to an hourly rate of \$100.00 for Dianne Ho. This individual billed a total of 11.0 hours in the federal action exclusive of hours billed between September 29, 2022 and October 4, 2022. A 50% reduction to this individual's hours brings her total hours exclusive of her hours billed between September 29, 2022 and October 4, 2022 to 5.5. This individual billed a total of 0.2 hours in the federal action between September 29, 2022 and October 4, 2022. A 90% reduction to this individual's hours billed between September 29, 2022 and October 4, 2022 brings her total hours during that time period to 0.02. Thus, Plaintiffs are entitled to compensation for a total of 5.52 hours of work performed by Dianne Ho in the federal action. Therefore, Plaintiffs are entitled to a total of \$552.00 in legal fees for Dianne Ho for the federal action.


8. Plaintiffs' costs for the federal action total \$402.00 for the filing fee.

9. Plaintiffs are entitled to a total of \$13,950.00 in legal fees and an additional \$402.00 in costs for the federal action.

Accordingly, it is hereby ORDERED that Plaintiffs are awarded legal fees in the amount of \$15,042.00 for the administrative action and \$13,950.00 for the federal action. Plaintiffs are additionally awarded costs in the amount of \$402.00 and post-judgment interest on each of the aforementioned awards. The Clerk of Court is respectfully directed to close this case.

SO ORDERED

Dated: January 3, 2023
New York, New York



Hon. Ronnie Abrams